

**COMMUNITY COLLEGE ACT OF 1966 (EXCERPT)**  
**Act 331 of 1966**

CHAPTER 1  
COMMUNITY COLLEGE DISTRICT COMPRISED OF COUNTIES

\*\*\*\*\* 389.11 THIS SECTION IS AMENDED EFFECTIVE MARCH 22, 2017: See 389.11.amended \*\*\*\*\*

**389.11 Establishment of district; approval.**

Sec. 11. (1) One or more contiguous counties, excepting any portion previously included in an existing community college district, may join to form a community college district by a majority vote of the electors thereof. Before the election is held, approval of the formation of the proposed community college district and the proposed maximum annual tax rate shall be obtained from the state board of education by the board or joint boards of education of the intermediate school districts of the counties affected.

(2) For the purposes of this chapter a county is eligible for the formation of a community college district even though a portion thereof is a part of an existing community college district. Such portion shall not be included in the area of the proposed community college district nor shall persons residing in such areas be eligible to vote at the organizational election or at any succeeding community college district elections.

**History:** 1966, Act 331, Eff. Oct. 1, 1966.

\*\*\*\*\* 389.11.amended THIS AMENDED SECTION IS EFFECTIVE MARCH 22, 2017 \*\*\*\*\*

**389.11.amended Formation of community college district; approval.**

Sec. 11. (1) Subject to subsection (2), 1 or more counties may join to form a community college district by a majority vote of the electors residing in the proposed district. Before the election is held, the board or joint boards of education of the intermediate school districts of the counties affected must obtain the approval of the formation of the proposed community college district and the proposed maximum annual tax rate from the superintendent of public instruction.

(2) For the purposes of this chapter, a county may form a community college district even though a portion of that county is a part of an existing community college district. That portion of the county shall not be included in the area of the proposed community college district and the electors who reside in that portion of the county are not eligible to vote at the organizational election or at any succeeding community college district elections.

**History:** 1966, Act 331, Eff. Oct. 1, 1966;—Am. 2016, Act 374, Eff. Mar. 22, 2017.

**389.12 Organizational election; time of holding.**

Sec. 12. (1) If approval of a proposed community college district is filed with the school district filing official at least 77 days but not more than 6 months before the next general state election, the school district filing official shall include the necessary community college propositions with the proceedings for the general election.

(2) If approval of a proposed community college district is filed with the school district filing official more than 6 months before the next general state election, the school district filing official shall call a special election for the purpose of submitting to the electors the propositions relating to the establishment of the community college district to be held on the next regular election day that is not less than 77 days after the approval is filed.

**History:** 1966, Act 331, Eff. Oct. 1, 1966;—Am. 1967, Act 231, Imd. Eff. July 10, 1967;—Am. 2003, Act 306, Eff. Jan. 1, 2005.

**389.13 Organizational election; propositions submitted.**

Sec. 13. At the organizational election there shall be submitted the following issues:

(a) Proposition to establish the community college district. The ballots shall read substantially as follows:

Shall a community college district comprised of ..... County (or counties) be established in accordance with Act No. .... of the Public Acts of 1966?

(b) Proposition to establish the maximum annual tax rate.

(c) Election of the first board of trustees.

**History:** 1966, Act 331, Eff. Oct. 1, 1966.

**389.14 Community college board of trustees; number and terms.**

Sec. 14. (1) A community college district is directed and governed by a board of trustees, consisting of 7 members, elected at large in the territory of the district or proposed district on a nonpartisan basis. At the

organizational election, the electors shall elect 3 members for 6-year terms, 2 for 4-year terms, and 2 for 2-year terms. After the initial terms, at the next regular community college election immediately preceding the expiration of their terms of office, the electors shall elect members for 6-year terms. In a community college district that is comprised of 3 counties and is in operation on the effective date of this act, the board of trustees shall continue to consist of 9 members, 3 from each county, elected for 6-year terms.

(2) If an organizational election is held at the same time as a general state election, the term of office of each member elected shall commence on January 1 following the organizational election.

(3) When an organizational election is held on a date other than the date of a general state election, each board member shall take office on the fifteenth day following the date of the organizational election. Regular terms of office shall commence on January 1 following the next general state election. However, the period of time from the date of the organizational election until January 1 following the next general state election is in addition to the regular terms to which each member was elected.

**History:** 1966, Act 331, Eff. Oct. 1, 1966;—Am. 2000, Act 488, Imd. Eff. Jan. 11, 2001.

### **389.15 Community college districts comprised of counties; establishment; annual tax rate.**

Sec. 15. (1) A community college district shall be established if:

(a) A majority of the electors of each of the counties included in the proposed community college district voting thereon approve the organization of the district.

(b) A board of trustees in the required number is elected by each county voting thereon.

(2) If the proposition to organize the district fails of a proper majority, or if a board of trustees in the proper number is not elected a community college district shall not be established.

(3) A combined majority of the electors of the counties voting thereon shall approve the establishment of the maximum annual tax rate. If the proposition to establish the maximum annual tax rate fails to receive approval of a proper majority of the electors of the counties voting thereon and a community college district is established under the provisions of this section, the proposition to establish the maximum annual tax rate may be resubmitted at a regular election or at a special election called by the board of trustees for that purpose. If the proposition to establish the maximum annual tax rate fails after being submitted 3 times, the community college district is dissolved.

**History:** 1966, Act 331, Eff. Oct. 1, 1966;—Am. 1967, Act 285, Imd. Eff. Aug. 1, 1967.

### **389.16 Organizational elections; conduct.**

Sec. 16. The general election laws, including the voting of absent voters, the days on which elections are held, the hours for the opening and closing of the polls at elections, and provisions for preserving the purity of elections and for preventing fraud and corruption, govern all elections under this act so far as the same are applicable and not inconsistent with this act. County and local election officials shall perform their election duties for regular and special elections held in accordance with this chapter, including the proper giving of notices of registration and election.

**History:** 1966, Act 331, Eff. Oct. 1, 1966;—Am. 2003, Act 306, Eff. Jan. 1, 2005.

### **389.17 Organizational election; canvass of results.**

Sec. 17. Subject to section 24a of the Michigan election law, MCL 168.24a, the county board of canvassers shall conduct the canvass of the results of an organizational election or other election of a community college district organized under this chapter.

**History:** 1966, Act 331, Eff. Oct. 1, 1966;—Am. 2000, Act 488, Imd. Eff. Jan. 11, 2001;—Am. 2003, Act 306, Eff. Jan. 1, 2005.

### **389.18 Regular community college district elections; when held; special propositions.**

Sec. 18. Regular elections of the community college district shall be held on the same date as the general state elections. At regular elections, in addition to the election of trustees, special propositions may be submitted to the vote of the electors when authorized by the board of trustees.

**History:** 1966, Act 331, Eff. Oct. 1, 1966.

### **389.19 Special elections.**

Sec. 19. (1) Special elections of the community college district may be called by the board of trustees. The secretary of the board shall file a copy of the resolution of the board calling the election with the county clerks at least 60 days prior to the date of the election. The resolution of the board shall contain a statement of the propositions to be submitted to the electors.

(2) Upon receipt of the resolution each county clerk shall notify the county and local election officials of the calling of the special election. The election officials shall perform their regular election duties.

**History:** 1966, Act 331, Eff. Oct. 1, 1966.

**389.20 Repealed. 2003, Act 306, Eff. Jan. 1, 2005.**

**Compiler's note:** The repealed section pertained to payment of expenses of community college district elections.

\*\*\*\*\* 389.21 THIS SECTION IS AMENDED EFFECTIVE MARCH 22, 2017: See 389.21.amended \*\*\*\*\*

**389.21 Annexations to district; procedure.**

Sec. 21. (1) By adoption of a resolution, the board of trustees of a community college district organized under this chapter may initiate annexation to the community college district, in the manner provided in this act, of a contiguous county, contiguous township, contiguous intermediate school district, or contiguous local school district not already included within the area of a community college district, subject to the following:

(a) A community college district located in the Upper Peninsula may annex a county, township, intermediate school district, or local school district that is not contiguous.

(b) A community college district that has been offering classes at a federal military installation located in a noncontiguous county for a period of at least 20 years may annex that noncontiguous county or that portion of the noncontiguous county that is not within another community college district.

(2) Before an annexation election, the board of trustees shall obtain approval of the proposed annexation from the superintendent of public instruction. Upon receipt of the approval, the secretary of the board of trustees shall file certified copies of the annexation resolution and the approval with the clerk of the county or township to be annexed, or the secretary of the board of the intermediate school district or local school district and the school district filing official of the school district to be annexed, as applicable.

(3) After the resolution and approval are filed under subsection (2), the county board of commissioners, the township board, or the board of the intermediate or local school district, as applicable, shall request that the school district filing official call a special election for the purpose of voting on the question of annexation to the community college district and of approving the maximum tax rate existing in the community college district. A special election called under this subsection shall be held on a regular election day that is not less than 49 days after the special election is requested.

(4) An annexation is effective on the date of the election if both propositions receive majority approval of the electors voting on the propositions. The final results of the annexation election shall be canvassed by the appropriate board of county canvassers as provided in section 24a of the Michigan election law, MCL 168.24a.

(5) By virtue of annexation, unless otherwise provided in the approved annexation propositions, territory annexed to a community college district is subject to taxes levied for principal and interest of outstanding bonded indebtedness of the community college district.

(6) If a portion of a county, township, or intermediate or local school district to be annexed lies within a community college district at the time of the annexation election, then the electors residing in that territory are not eligible to vote on the propositions and that territory does not become a part of the community college district.

**History:** 1966, Act 331, Eff. Oct. 1, 1966;—Am. 1997, Act 147, Imd. Eff. Dec. 1, 1997;—Am. 2000, Act 488, Imd. Eff. Jan. 11, 2001;—Am. 2003, Act 306, Eff. Jan. 1, 2005;—Am. 2013, Act 53, Imd. Eff. June 11, 2013.

\*\*\*\*\* 389.21.amended THIS AMENDED SECTION IS EFFECTIVE MARCH 22, 2017 \*\*\*\*\*

**389.21.amended Annexations to district; procedure.**

Sec. 21. (1) By adoption of a resolution, the board of trustees of a community college district organized under this chapter may initiate annexation to the community college district, in the manner provided in this act, of that portion of a county, township, intermediate school district, or local school district that is not already included within the area of a community college district.

(2) Before an annexation election described in subsection (3), the board of trustees shall obtain approval of the proposed annexation from the superintendent of public instruction. If the board receives that approval, the secretary of the board of trustees shall, subject to section 646a of the Michigan election law, MCL 168.646a, file certified copies of the annexation resolution, the approval, and the wording of ballot questions described in subsection (3) with the clerk of the county in which the territory to be annexed is located.

(3) After the resolution, approval, and ballot questions are filed under subsection (2), the clerk of the county shall place before the electors the question of annexation to the community college district and of approving the maximum tax rate existing in the community college district.

(4) If both propositions receive majority approval of the electors voting on the propositions, the effective date of the annexation is the date the election is certified by the appropriate board of county canvassers.

(5) By virtue of annexation, unless otherwise provided in the approved annexation propositions, territory annexed to a community college district is subject to taxes levied for principal and interest of outstanding bonded indebtedness of the community college district.

(6) If a portion of a county, township, or intermediate or local school district to be annexed lies within a community college district at the time of the annexation election, then the electors residing in that territory are not eligible to vote on the propositions and that territory does not become a part of the community college district.

**History:** 1966, Act 331, Eff. Oct. 1, 1966;—Am. 1997, Act 147, Imd. Eff. Dec. 1, 1997;—Am. 2000, Act 488, Imd. Eff. Jan. 11, 2001;—Am. 2003, Act 306, Eff. Jan. 1, 2005;—Am. 2013, Act 53, Imd. Eff. June 11, 2013;—Am. 2016, Act 374, Eff. Mar. 22, 2017.